


of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A)(i). No defendant has filed an answer or a motion for summary judgment. Thus, the court will allow the voluntary dismissal.

Bennett's motion for dismissal without prejudice [D.E. 13] is ALLOWED. The Clerk of Court is DIRECTED to close this case.

SO ORDERED. This 19 day of July 2011.


JAMES C. DEVER III
United States District Judge